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SAIA MOTOR FREIGHT LINE, LLC

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CLERK US DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

PEDRO MORALES, II, individually and on behalf of All Current and Former Employees of SAIA, INC., Plaintiff, v. SAIA, INC., and DOES 1 through 10, inclusive, Defendants.	Case No.: '08 CV 0829 H LSP CLASS ACTION **DEFENDANT SAIA MOTOR FREIGHT LINE, LLC'S NOTICE OF RELATED CASE** [Civil Local Rule 40.1(e)]

TO THE CLERK OF THE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Civil Local Rule 40.1(e), defendant Saia Motor Freight Line, LLC ("Saia") notifies the Court that there is a related putative class action pending in the United States District Court for the Central District of California, entitled *Hoany G. Cortez v. Saia Motor Freight Line,*

cc

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Inc., et al., CV07-05388 R (Ex), which was filed on July 2, 2007 (the "Cortez action"). The Cortez action is related to this action under Civil Local Rule 40.1(f) in that: (1) Saia is the defendant in both actions and members of the putative classes overlap; (2) the actions are based, in large part, on substantially similar claims relating to the employment and compensation of putative class members; and (3) the actions involve several substantially identical questions of law and fact.

The named plaintiffs in the two actions, Cortez and Morales respectively, occupied the same job position as dockworker at different Saia truck terminals in California. In the Cortez action, plaintiff Cortez seeks to represent a class of all current and former dockworkers at Saia's California truck terminals. In the present action, plaintiff Morales seeks to represent a class of all current and former California "hourly" employees of Saia. The putative Morales class necessarily encompasses the Cortez class. Both actions allege substantially similar claims against Saia for alleged (1) failure to provide meal and rest periods; (2) failure to provide accurate wage statements; (3) failure to pay timely wages; and (4) violation of California Business and Professions Code section 17200 related to the employment and compensation of class members. Thus, assignment to a single district judge for coordination of these cases, or in the alternative, a stay of this action pending resolution of the Cortez action, would avoid conflicts, promote judicial efficiency by avoiding the needless duplication of pleadings, discovery and court proceedings in these matters, and promote the efficient determination of the actions.

Dated: May 21, 2008

BRYAN CAVE LLP
Pamela C. Calvet
Julie E. Patterson
Amy M. Gantvoort

By: /s/ Pamela Carroll Calvet
Pamela Carroll Calvet
Attorneys for Defendant
SAIA MOTOR FREIGHT LINE, LLC

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Bryan Cave LLP, 120 Broadway, Suite 300, Santa Monica, California 90401.

On May 21, 2008, I served the foregoing document, described as **DEFENDANT SAIA MOTOR FREIGHT LINE, LLC'S NOTICE OF RELATED CASE,** on each interested party in this action, as follows:

Graham S.P. Hollis, Esq.
Kirk D. Hanson, Esq.
Lori J. Guthrie, Esq.
GRACE HOLLIS LOWE HANSON & SCHAEFFER LLP
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Attorneys for Plaintiffs

☒ (BY MAIL) I placed a true copy (or original) of the foregoing document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

Executed on May 21, 2008, at Santa Monica, California.

☒ (FEDERAL ONLY) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America and the state of California that the foregoing is true and correct.

Susan N. Marder

Susan N. Marder